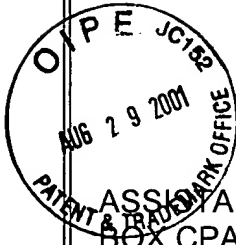


RECEIVED 08/803954  
AUG 31 2001  
TECH CENTER 1600/2900

PATENT  
CUSTOMER NO. 22,852  
ATTORNEY DOCKET NO. 6843.0009-09



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

BOX CPA

Washington, D.C. 20231

Prior Application Art Unit: 1647

Prior Application Examiner: R. Hayes

#30  
B.Q.  
9/5/01

SIR:

This is a request for filing a ☐ Continuation or ☒ Divisional application under 37 C.F.R. § 1.53(d) of pending prior nonprovisional application Serial No. 08/803,954 filed February 21, 1997 for METALLOPROTEINASE INHIBITOR by the following named inventors:

1. Keith E. LANGLEY
2. Yves A. DeCLERCK
3. Thomas C. BOONE

1. ☒ Enclosed is a complete copy of the prior application Serial No. 07/710,728, filed June 3, 1991, including the oath or Declaration and drawings, if any, as originally filed. To my knowledge, the attached papers are a true copy of prior application Serial No. 07/710,728 as originally filed on June 3, 1991, of the Declaration filed July 25, 1991, and of the substitute Sequence Listing, pages 1 to 2, which was filed May 23, 1999.

2. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).

3. ☐ Enter the amendment previously filed on [Date] under 37 C.F.R. § 1.116 but unentered, in the prior application.

4. ☒ A Preliminary Amendment is enclosed.

5. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53 (d)(4).

a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

\_\_\_\_\_

\_\_\_\_\_

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

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AUG 31 2001

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto. TECH CENTER 1600/2900

6. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

Basic Application Filing Fee					\$710	\$ 710.00
	Number of Claims		Basic	Extra Claims		
Total Claims	15	-	20	0	x \$18	0
Independent Claims	3	-	3	0	x \$80	0
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$260	0
Subtotal						\$ 710.00
Reduction by 1/2 if small entity						- 0
TOTAL APPLICATION FILING FEE						\$ 710.00

7. ☒ A check in the amount of \$710.00 to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge any fees including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 06-0916.
9. ☐ A verified statement claiming small entity status  
☐ is enclosed or ☐ is on file in the prior application.
10. ☒ Since applicants intend the present continuation application to have the same disclosure as parent application Serial No. 08/803,954, that application has been incorporated by reference into this application in an abundance of caution in the event that any of the disclosure of Serial No. 08/803,954 is inadvertently omitted in this submission. That incorporation by reference should not necessitate a new oath or declaration, since the declaration (a copy of which is enclosed) already was executed for the disclosure of Serial No. 08/803,954.

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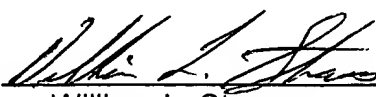
11. ☒ The prior application is assigned of record to: Amgen Inc. (of Thousand Oaks, California, USA) and Children's Hospital of Los Angeles (of Los Angeles, California, USA).
12. ☒ Since the power does not appear in the original declaration, a copy of the Revocation of Original Power of Attorney And Grant of New Power of Attorney and 37 C.F.R. § 3.73(b) Statement in the prior application Serial No. 08/803,954 is enclosed.
13. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
14. ☐ Recognize as associate attorney \_\_\_\_\_
15. ☐ Also enclosed is \_\_\_\_\_

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 08/803,954, filed February 21, 1997, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that any member of the public, who is entitled under the provisions of § 1.14 to access to, copies of, or information concerning either the prior application or any continuing application filed under the provisions of 37 C.F.R. § 1.53(d), may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 29, 2001

By:   
William L. Strauss  
Reg. No. 47,114

183593-1



PATENT  
Customer Number 22,852  
Attorney Docket No. 6843.0009-08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Keith E. LANGLEY *et al* )  
Serial No.: 08/803,954 ) Group Art Unit: 1647  
Filed: February 21, 1997 ) Examiner: R. Hayes  
For: METALLOPROTEINASE )  
INHIBITOR )

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JGJ  
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Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**LETTER TO FILE**

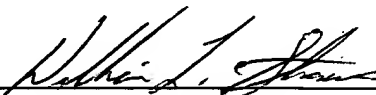
An Office Action was mailed March 5, 2001. Applicants are allowing this application to be abandoned in view of claims presently being pursued in pending U.S. Patent Application Serial No. 07/355,027. Applicants' failure to respond to the Office Action in this application is in no way an acquiescence to any of the outstanding rejections.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 29, 2001

By:   
William L. Strauss  
Reg. No. 47,114

125152-1

LAW OFFICES

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